

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **People v Wendy Irene Dye**  
Docket No. **253839**  
L.C. No. **02-012277-FC**

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

The Michigan Supreme Court having remanded this matter to the Court of Appeals for consideration of the application for leave to appeal, and the United States Supreme Court having recently decided in *Halbert v Michigan*, US S Ct No 03-10198 (June 23, 2005), that "the Due Process and Equal Protection Clauses require the appointment of counsel for defendants, convicted on their pleas, who seek access to first-tier review in the Michigan Court of Appeals," this case is REMANDED to the Kent Circuit Court for the appointment of appellate counsel to assist defendant on this appeal.

The appointment shall be made within 14 days of the Clerk's certification of this order. The Kent Circuit Court shall promptly provide a copy of the appointment order to the Court of Appeals, at which time the Court of Appeals Clerk's Office is directed to provide appointed counsel with a copy of the application for leave to appeal that was filed by defendant in this matter. Within 21 days of the Clerk's mailing of a copy of the application to counsel, appointed counsel shall file a supplemental application for leave to appeal that either raises additional issues in support of the request for leave or confirms that the application filed February 17, 2004, is adopted by counsel. All other filing deadlines will be governed by the court rules.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 28 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk